

Exhibit 4

Declaration of Patrick Nelson Brooks

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

JEANNE VOLTZ-LOOMIS; GARY
ZACHARIAH THOMAS; DENISE
EDGAR; HERBERT PALMER, JR.;
BRANDON MOORE; ALLEN
SLAUGHTER, JR.; GAY OPEL
STANLEY; Brison AKEEM
Allison, on their own and on behalf
of a class of similarly situated
persons;

Petitioners,

v.

HENRY McMASTER, in his official
capacity as Governor of the State of
South Carolina; BRYAN
STIRLING, in his official capacity
as Director of the South Carolina
Department of Corrections; the
South Carolina Board of Pardons
and Paroles; and Christopher F.
Gibbs, Mollie DuPriest Taylor, Dan
Batson, Henry S. Eldridge, Lonnie
Randolph and Kim Frederick, in
their official capacities as members
of the Board of Pardons and Paroles.

Respondents

Case No. xx-cv---

DECLARATION OF PATRICK NELSON BROOKS

I, Patrick Nelson Brooks, hereby declare under penalty of perjury, that the following is true and correct to the best of my knowledge.

1. I am a paralegal who works in South Carolina for the American Civil Liberties Union (ACLU) of South Carolina.

Jeanne Voltz-Loomis

2. I recently spoke on the telephone with client Jeanne Voltz-Loomis incarcerated at Leath Correctional Institution (Leath). She is currently living in dormitory housing in a unit called Reynolds A; Quad2; Bed 11A.
3. Leath is a South Carolina Department of Corrections prison for women located in unincorporated Greenwood County, South Carolina, near Greenwood, SC. Leath opened in 1991. It is located just east of the Greenwood County Airport. The prison has a capacity of 968.
4. Leath currently houses over 662 inmates of various custody levels from minimum security to death row.
5. My telephone meeting took place on April 15 at 5:00PM. Ms. Voltz-Loomis is sixty-eight (68) years old.
6. Ms. Voltz-Loomis informed me that SCDC staff had provided very little, if any, information regarding COVID-19 symptoms and the potential for contagious spread through the institution, or mitigation. In addition, Ms. Voltz-Loomis shared that there was little hand sanitizer available anywhere and bleach or cleaning supplies had only recently been provided for the purpose of cleaning cells and common areas.
7. SCDC has been publicly declaring that plentiful supplies of hand sanitizer, bleach and cleaning supplies had been distributed at every correctional institution, and that each incarcerated person had access to these items. SCDC has shared its "COVID-19 Action Plan," and publicized that it had trained and directed staff to educate the incarcerated population on how to prevent the spread of COVID-19.
8. Ms. Voltz-Loomis related that all inmates are deeply afraid of any other inmate acting out, thereby initiating lockdown procedures for the whole population. Given the dorm-cubicle nature of the housing, a lockdown would cause rapid viral spread.

9. Ms. Voltz-Loomis informed me that she had severe hypertension and anxiety. While she had some medicine for the latter, the former was rising to levels that made her fear an imminent stroke.
10. Ms. Voltz-Loomis also related that the cafeteria workers are not practicing any viral protocol during the preparation and distribution of food.
11. Ms. Voltz-Loomis related that the nutrition provided by the institution was of such poor quality and quantity that it was exacerbating her conditions. This lack of basic nutrition is generating further anxiety and, in turn, driving her blood pressure higher.
12. Ms. Voltz-Loomis related that social distancing is a factual impossibility given the proximity of other inmates and Corrections Officers.

Denise Edgar

13. I also recently spoke on the telephone with client Denise Edgar who is also incarcerated at Leath. Ms. Edgar is housed in the Alexandra Unit; Character Program; Quad 3; Room 104.
14. My telephone meeting took place on April 15 at 6:00PM. Ms. Edgar is sixty (60) years old and is serving a 30-year sentence.
15. Ms. Edgar informed me that SCDC staff had provided very little, if any, information regarding COVID-19 symptoms and the potential for contagious spread through the institution, or mitigation. In addition, Ms. Edgar shared that there was little hand sanitizer available anywhere and bleach or cleaning supplies had only recently been provided for the purpose of cleaning cells and common areas.
16. Ms. Edgar also related that the cafeteria workers are not practicing any viral protocol during the preparation and distribution of food.
17. Ms. Edgar informed me that she had asthma and severe hypertension, neither of which are currently being treated.

18. Ms. Edgar related that social distancing is a factual impossibility given the proximity of other inmates and Corrections Officers.

Brison Akeem Allison

19. I also recently spoke on the telephone with client Brison Akeem Allison incarcerated at Goodman Correctional Institution. He is currently housed in Building 2; 15 Top.
20. Goodman Correctional Institution is located at 4556 Broad River Road, Columbia, SC
21. Goodman Correctional Institution has a capacity of 350 inmates and was established in 1970.
22. My telephone meeting took place on April 15 at 3:00PM and April 16 at noon. Mr. Allison is twenty-five (25) years old.
23. Mr. Allison informed me that SCDC staff had provided very little, if any, information regarding COVID-19 symptoms and the potential for contagious spread through the institution, or mitigation. In addition, Mr. Allison shared that there was little hand sanitizer available anywhere and that bleach or cleaning supplies have only been provided sporadically.
24. Mr. Allison is incarcerated on a probation violation for an original charge of financial fraud that only carried a sentence of one year. He is due for release on July 1, 2020 with a parole date of March 31, 2020.
25. Mr. Allison is deeply frustrated by the apparent freezing of parole and probation releases. He does not understand why he is not already paroled, given the need to reduce the prison population in the face of the virus, and his relatively minor charges.
26. Mr. Allison is a lifelong asthmatic who fears for his safety due to the proliferation of the virus and the ineffective and piecemeal nature of viral protocol being administered by SCDC.

27. Mr. Allison also related that inmates are becoming agitated because parole, probation and releases have ceased, and he fears a riot soon.
28. Mr. Allison stated that social distancing is not being practiced and that it is nearly impossible to do in prison, further heightening the tension among the population.

Gary Zachariah Thomas

29. I also recently spoke on the telephone with client Gary Zachariah Thomas incarcerated at Trenton Correctional Institution. He is currently housed in Dorm 3A; Character Dorm.
30. Trenton Correctional Institution is located at 84 Greenhouse Road, Trenton, SC 29847.
31. Trenton Correctional Institution was constructed in 1995. It has an average daily population of 594 and a capacity of 708.
32. My telephone meeting took place on April 15 at 4:00PM. Mr. Thomas is forty-five (45) years old.
33. Mr. Thomas informed me that SCDC staff had provided very little, if any, information regarding COVID-19 symptoms and the potential for contagious spread through the institution, or mitigation. In addition, Mr. Thomas shared that there was little hand sanitizer available anywhere and bleach or cleaning supplies had only recently been provided for the purpose of cleaning cells and common areas.
34. Mr. Thomas related that he was punished by Corrections Officers for attempting to fashion a mask from a t-shirt. The facility only very recently has begun distributing masks. And, he stated, that this distribution is erratic and not comprehensive. He fears further retaliation for attempting his own ad-hoc viral protocols with the materials at hand.
35. Mr. Thomas was very upset because the cafeteria workers are not practicing any viral protocol during the preparation and distribution of food.

36. Mr. Thomas has a sciatica condition that is exacerbated by the current lack of work detail. He feels that this idleness will aid in viral spread because the lack of work has led to congregating inmates not practicing any social distancing. While not working, inmates are not allowed to recline in their bunks. Thus, his condition is worsening, and the population freely mingles during the day aiding potential viral spread.
37. Mr. Thomas has a potential release date in October 2020. He is quite upset that what he characterized as “tolling”, had ceased upon his sentence and a potential release. Absent that change, he could have been eligible for parole in April. While his parole eligibility date would have been April 30, in previous practice, that would have been bumped up to April 1.
38. Mr. Thomas also related that inmates are becoming more and more agitated that the parole, probation and release system has simply stopped functioning.

Gay Opel Stanley

39. I also recently spoke on the telephone with client Gay Opel Stanley incarcerated at Camille Griffin Graham Correctional Institution (CGG). She is housed in dormitory housing in Dorm Zion A; Section G; Bed 19A at CGG.
40. CGG is a _____ located in Columbia, SC. CGG opened in 1973. It is located at 4450 Broad River Road
41. CGG can hold up to 511 prisoners.
42. My telephone meeting took place on April 16 at 9:00AM. Ms. Stanley is forty-seven (47) years old.
43. Ms. Stanley informed me that SCDC staff had provided very little, if any, information regarding COVID-19 symptoms and the potential for contagious spread through the institution, or mitigation. In addition, Ms. Stanley shared that there was little hand sanitizer

available anywhere and, that what little that was provided, was quickly consumed internally by those seeking alcohol.

44. Ms. Stanley informed me that she has COPD, which has her deeply afraid that the symptoms of that disease will be construed as symptoms of the COVID-19 and that she will be consigned to a quarantine from which she will not emerge.
45. Ms. Stanley related that three women were currently in quarantine.
46. Ms. Stanley related that all inmates are hiding any symptoms that could be construed as the virus to evade quarantine, thereby potentially spreading the virus.
47. Ms. Stanley is also suffering from lung disease (COPD), liver cancer, Hepatitis C, and cirrhosis.
48. Ms. Stanley stated that the cafeteria workers are not practicing any viral protocol during the preparation and distribution of food.
49. Ms. Stanley further related that the inmates began receiving one mask per week to be used during congregative mealtimes but that no one trusted the efficacy of that measure.
50. Ms. Stanley is incarcerated on a probation violation and is theoretically due to be released July 22, 2020, though in previous practice that date would have been bumped up to July 1, 2020.
51. Ms. Stanley related that she does not understand why the probation and parole system has completely frozen their operations. Coupled with her acute underlying health issues she is afraid for her life.
52. Ms. Stanley related that social distancing is a impossible given the proximity of other inmates and Corrections Officers.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on this 19th day of April 2020.



/s/ Patrick Nelson Brooks

Patrick Nelson Brooks
Paralegal
ACLU of SC